

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION**

LEE SCHMIDT and CRYSTAL  
ARRINGTON,

Plaintiffs,

v.

CITY OF NORFOLK and MARK TALBOT,  
in his official capacity as the Norfolk Chief  
of Police,

Defendants.

Case No.: 2:24-cv-00621-MSD-LRL

Hon. Mark S. Davis

**MOTION TO INTERVENE**

Flock Group, Inc., doing business as Flock Safety (“Flock”), by counsel, moves this Court for an Order allowing it to intervene as a party in this action (“Motion to Intervene”) pursuant to Federal Rule of Civil Procedure 24(a) or, in the alternative, under Federal Rule of Civil Procedure 24(b). Flock satisfies the requirements for intervention as of right under Rule 24(a) because its motion is timely, it has a direct and substantial interest in the litigation that would be impaired absent intervention, and Flock’s interest is not adequately represented by the current parties. In the alternative, Flock satisfies the requirements for permissive intervention under Rule 24(b) because its motion is timely and it has a claim or defense that shares a common question of law or fact with the action. Nor will Flock’s intervention unduly delay the case or prejudice any party.

The grounds and authorities in support of this motion are set forth in Flock Safety’s Memorandum of Law in Support of its Motion to Intervene. Attached as **Exhibit 1** is a Proposed Order granting the relief requested and allowing Flock to file the Proposed Answer attached as **Exhibit 2**.

Flock has conferred with counsel for all parties. Defendants do not oppose Flock's Motion. Despite outreach from Flock's counsel on April 1, 2025 and April 3, 2025, Plaintiffs have not provided a position on the Motion.

Dated: April 3, 2025

Respectfully submitted,

/s/ Stephen E. Noona

Stephen E. Noona (VSB No. 25367)  
Brandan M. Goodwin (VSB No. 94766)  
KAUFMAN & CANOLES, P.C.  
150 W. Main Street, Suite 2100  
Norfolk, Virginia 23510-1665  
Telephone: (757) 624-3239  
Facsimile: (888) 360-9092  
senoona@kaufcan.com  
bmgoodwin@kaufcan.com

E. Martin Estrada\*  
MUNGER, TOLLES & OLSON LLP  
350 S. Grand Avenue, Fiftieth Floor  
Los Angeles, California 90071  
Telephone: (213) 683-9100  
Martin.Estrada@mto.com

Justin P. Raphael\*  
MUNGER, TOLLES & OLSON LLP  
560 Mission Street, Twenty-Seventh Floor  
San Francisco, CA 94105  
Telephone: (415) 512-4000  
Justin.Raphael@mto.com

Jonathan I. Kravis\*  
MUNGER, TOLLES & OLSON LLP  
601 Massachusetts Avenue, NW, Suite 500E  
Washington, D.C. 20001  
Telephone: (202) 220-1100  
Jonathan.Kravis@mto.com

\* *Pro hac vice* forthcoming

*Attorneys for Proposed Intervenor Flock  
Group, Inc., d/b/a Flock Safety*

**CERTIFICATE OF SERVICE**

I hereby certify that on April 3, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of electronic filing to all counsel of record.

/s/ Stephen E. Noona

Stephen E. Noona (VSB No. 25367)  
Brandan M. Goodwin (VSB No. 94766)  
KAUFMAN & CANOLES, P.C.  
150 W. Main Street, Suite 2100  
Norfolk, Virginia 23510-1665  
Telephone: (757) 624-3239  
Facsimile: (888) 360-9092  
senoona@kaufcan.com  
bmgoodwin@kaufcan.com